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CHANGES MADE BY COURT

The following constitutes
the order of the court. Signed September 17, 2024

A handwritten signature in black ink, reading "Stephen L. Johnson".

Stephen L. Johnson
U.S. Bankruptcy Judge

Counsel for Chapter 11 Debtor
and Debtor in Possession

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:

BRITELAB, INC.,
a Delaware corporation

Debtor and Debtor in Possession.

Case No.: 23-51520
Chapter 11 Case
Subchapter V

**Order Granting in Part and Denying in Part
Debtor's Motion to Modify Debtor's Second
Amended Chapter 11, Subchapter V, Plan of
Reorganization, Dated July 18, 2024**

Hearing on Shortened Time:

Date: September 3, 2024
Time: 2:00 p.m.
Place: United States Courthouse
Courtroom 9
280 South First Street
San Jose, CA 95113-3099

At the above-referenced date, time, and location, the Court held a hearing (the "Hearing") to consider the "Debtor's Motion to Modify Debtor's Second Amended Chapter 11, Subchapter V, Plan of Reorganization, Dated July 18, 2024" (the "Motion") [ECF 87] filed by BriteLab, Inc., a Delaware

1 corporation (the “Debtor”), the debtor and debtor in possession in the above-referenced chapter 11 case.
2 Appearances were made at the Hearing as set forth on the Court’s record of the Hearing.

3 The Court, having read and considered the Motion, the declaration of Ali Bushehri [ECF 88]
4 submitted in support of the Motion, the notice [ECF 89] of the Motion and Hearing, the record in the case,
5 the docket in the case, and good cause appearing therefor,

6 **HEREBY FINDS** that notice of the Motion and Hearing were good and proper under the
7 circumstances and that no further notices is required; and

8 **HEREBY ORDERS AS FOLLOWS:**

- 9 1. To the extent that the Motion requests authority to modify the Debtor’s chapter 11 plan of
10 reorganization, the Motion is denied as unnecessary because Bankruptcy Code Section 1193(a)
11 authorizes the Debtor to modify its plan at any time prior to confirmation.
- 12 2. To the extent that the Motion requests that votes cast by creditors on Debtor’s previous plan –
13 “Debtor’s First Amended Chapter 11, Subchapter V, Plan of Reorganization, Dated April 25,
14 2024” [Doc. No. 54] (the “First Amended Plan”) [ECF 54] – be counted as votes on Debtor’s
15 “Debtor’s Third Amended Chapter 11, Subchapter V, Plan of Reorganization, Dated August
16 13, 2024” (the “Third Amended Plan”)[ECF 86], the Motion is granted, and votes shall be
17 counted as having been voted on the Third Amended Plan.

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20 *** END OF ORDER ***